

Doc. # 5594

ADOPTED

8/16/93

Text Amendment Application No. _____
Boston Redevelopment Authority
Bottle Redemption Centers

TO THE ZONING COMMISSION OF THE CITY OF BOSTON:

The Boston Redevelopment Authority petitions to amend the text of the Boston Zoning Code, as established under Chapter 665 of the Acts of 1956 as amended, as follows:

1. By inserting in **Section 2-1**, as clause (49A), and in **Article 2A**, in alphabetical placement, the following:

"Redemption Center," a facility for the purpose of redeeming beverage containers subject to deposit, and which is registered with the State Bureau of Waste Prevention, Division of Solid Waste. Storage of beverage containers to be wholly inside a building.

2. By inserting, in Table A of **Section 8-7**, the following use item:

	<u>S</u>	<u>R</u>	<u>H</u>	<u>L</u>	<u>B</u>	<u>M</u>	<u>I</u>	<u>MER</u>
49A Redemption Center	F	F	F	F	C*	A*	A*	A*

* Except F within 50' of
a Residential Zone

All storage of beverage
containers shall be
entirely within a building

3. By designating such new "Redemption center" use as follows:

- a. As an **allowed** use in each of the following types of districts and subdistricts:

Industrial Development Areas
Waterfront Manufacturing Subdistricts
Waterfront Manufacturing Districts (Article 42D)

- b. As a **conditional** use in each of the following types of subdistricts:

Neighborhood Shopping
Community Commercial
Waterfront Community Commercial
Community Facilities
Waterfront Community Facilities
Economic Development Areas
Institutional
Waterfront Service

- c. As a **forbidden** use in each of the following types of districts and subdistricts:

Residential
Open Space
Conservation Protection
Local Convenience
Chinatown District (Article 43)
Central Artery Special District (Article 49)

- d. If not otherwise described in sections 3(a) - 3(c) of this Text Amendment Application No. ____, as a **conditional** use in each of the following districts:

Midtown Cultural District (Article 38)
North Station Economic Development Area (Article 39)
South Station Economic Development Area (Article 40)
Huntington Avenue/Prudential Center District (Article 41)
Leather District (Article 44)
Government Center/Markets District (Article 45)
Bulfinch Triangle District (Article 46)
Cambridge Street North District (Article 47A)
Harborpark District:
- North End/Downtown and Dorchester Bay/Neponset River (Article 42A)
- Charlestown Waterfront (Article 42B)
- Waterfront Service District (Article 42C)
- Fort Point Waterfront (Article 42E)
- Charlestown Navy Yard (Article 42F)

Doc # 5594
ADOPTED
AUGUST 16, 1993

MEMORANDUM

TO: BOSTON REDEVELOPMENT AUTHORITY AND
PAUL L. BARRETT, DIRECTOR

FROM: LINDA MONGELLI HAAR, ASSISTANT DIRECTOR
NEIGHBORHOOD PLANNING AND ZONING
CYNTHIA WALL, SENIOR PLANNER

SUBJECT: AMENDMENT TO THE ZONING CODE FOR REDEMPTION
CENTERS

SUMMARY: Request Authorization to petition the Zoning Commission to include a Use Item for Bottle Redemption Centers in the Boston Zoning Code.

The Zoning Code currently does not include a separate use item for facilities whose main use is to redeem all types of beverage containers subject to deposit. These facilities are separate and distinct from supermarkets, convenience stores, and liquor stores, which are required by state law to accept empty beverage containers of the same type sold by the store. The proposed amendment would not apply to the latter type of store. In several instances in the City, this use has come before the Inspectional Services Department for a permit, and the categorization of the use has been unclear. ISD and the City's legal counsel have requested that BRA staff propose a zoning amendment to identify and regulate this use in order to ensure the proper siting of these facilities and in order to encourage recycling efforts while at the same time protect neighborhoods from any negative impacts of this use.

The proposed amendment establishing Use Item 49A responds to community concerns. These concerns specifically raised by the Beacon Hill, Hyde Park and Jamaica Plain residents include proper siting of redemption centers, adequate provision for indoor bottle/can storage, fire and safety, provision for off-street loading of the cans on trucks, and litter. While conditions are placed on locating a redemption center, they will not unduly restrict the efforts of businesses to operate redemption centers. The proposed amendment forbids beverage redemption centers in all residential zones, and in local business zones. In general business zones, the use is conditional. The use would be allowed in industrial zones. The siting of redemption centers would also be forbidden within 50 feet of all residential districts.

Consistent with the current State regulations (the "Bottle Bill"), the proposed amendment defines redemption centers as facilities for the purpose of redeeming

beverage containers subject to deposit, and which are registered with the State Bureau of Solid Waste Disposal. Recognizing the required State registration in the Zoning Code definition will assist the City in monitoring the health and safety concerns that such facilities generate, since they deal with solid waste materials. The proposed amendment would also require that the storage of all beverage containers received by the center be wholly within a building.

The proposed amendment will have no effect on businesses which are required to redeem only those types of containers which they sell, nor will it affect the Recycling Facility uses which are currently defined in Article 2A. These facilities recover and recycle solid wastes for reuse, and include other recyclable materials in addition to beverage containers.

The new Use Item for Redemption Center would allow, without undue restrictions, the operation of redemption centers which further the City's recycling efforts, while ensuring the health and safety of residential and business districts.

An appropriate vote follows:

VOTED: That the Director be authorized to petition the Zoning Commission to amend the Zoning Code to include a Use Item 49A, Redemption Center, in substantial accord with the amendment presented at the BRA Board meeting of August 16, 1993.

Board of the Boston Redevelopment Authority
1 City Hall Square 9th Floor
Boston, MA 02202

REPORT OF ST. ELIZABETH'S MEDICAL CENTER AS PER VOTE
OF THE BOSTON REDEVELOPMENT AUTHORITY OF JULY 28, 1993

St. Elizabeth's Medical Center reaffirms its commitment to the community benefits as outlined in the October 22, 1992 letter agreement addressed to the Boston Redevelopment Authority (BRA) and the Mayor of the City of Boston. It should be noted, based upon the report submitted by St. Elizabeth's on July 28th, that of the nine benefits committed to for fiscal year 1993, five have already been completed and the other four are in process and will be completed within fiscal year 1993. The following is in response to the five matters submitted by the BRA Board:

1. The request was to outline the scope of the public awareness outreach program within the Allston/Brighton community to solicit interest in the St. Elizabeth's School of Nursing.

RESPONSE:

At the November 4, 1992 community task force meeting, the Medical Center outlined the process that the community task force, the School of Nursing, and the Medical Center would take to implement the nursing scholarships. The Medical Center, the Director of the Nursing School and the task force then met to discuss the criteria for selecting scholarship candidates. The Medical Center met twice with Helen Fagan, Director of the Nursing School (once in December and then in January) and developed the first draft of an application process. The application was then distributed to task force members for their review and input. At the January 20, 1993 community task force meeting comments were incorporated from some community members. Others asked if they could have more time and the Medical Center agreed. At the next meeting in March, the Medical Center invited Helen Fagan to come and meet the community task force and to make a presentation about the School and answer questions about the scholarships. The task force members were asked to take the application home a final time for review and call with any final comments. The task force then discussed the distribution and public awareness campaign. The following ideas were discussed, approved and implemented:

a) Applications were distributed to civic groups;

b) The task force recommended that a full page ad be placed in the Allston/Brighton Journal (circulation: 16,000) which ran on April 29, 1993 (see attached); and

c) Applications were delivered to the Brighton High School Principal.

In the future, the Medical Center commits to implementing a broader outreach and awareness campaign which would include the following: multiple newspaper ads, posters in local businesses, providing applications to Allston/Brighton High School, and discussions with the task force to determine any other method of heightened awareness for distribution.

2. The request was for the number of Allston/Brighton residents who have applied for scholarships to St. Elizabeth's School of Nursing and the number who have received scholarships.

RESPONSE:

The School of Nursing has had only three applicants from the Allston/Brighton community. All have been accepted to the Nursing School and will receive scholarships. The School will be awarding the scholarships to these individuals for the 1993/94 school year. Names will be submitted to the BRA upon notification of the scholarship recipient.

3. The request was for how a Scholarship Selection Committee, made up of educators and community residents, could be set up to work with St. Elizabeth's to select future scholarship recipients.

RESPONSE:

It was agreed by the community task force and the Medical Center that the selection of applicants for the Nursing School class be left up to the Nursing School's admissions committee. Despite that agreement, the Medical Center does agree to implement a new task force consisting of Helen Fagan, Director of the School of Nursing, Leah Aleksandrowicz, Senior Vice President of Nursing, Peter L. Saltonstall, Senior Vice President of Development, Public Relations and Marketing, an administrator from Brighton High School to be appointed by the Principal, and two community task force members or their representatives. This group of six would work with the community task force to oversee the process of scholarship implementation by identifying potential candidates, ensuring they meet the criteria, and

reviewing the public awareness campaign and the community announcement process to determine adequacy of the program. This task force will be in place by September 15, 1993.

4. The request was for a written commitment to execute a contract for Phase I of the landscaping improvements by September 15, 1993.

RESPONSE:

The community task force has had six additional landscaping meetings to finalize the plans. The meetings began in mid-1992, at which time the Medical Center, with the help of the Boston Redevelopment Authority's landscape architect and with approval of the community task force, decided to divide the landscaping into three distinct programs. These programs were defined by budget and community priority. The Medical Center then hired a local landscape architect to develop plans for Phase I implementation. After meetings with the task force and the Boston Redevelopment Authority representatives to gain consensus about direction, a presentation was made to the task force. Unfortunately there was a wide divergence of opinion on final direction by two of the community groups. The Medical Center subsequently held two additional meetings to try and build consensus and implement the process. The Medical Center will now make the final decision after discussion with the task force. The Medical Center will sign a contract with a local landscape contractor by September 15, 1993 and begin the implementation phase of the project.

5. The request was for a commitment to appoint an Allston/Brighton resident to the Board of Trustees.

RESPONSE:

It should be made clear that the only commitment by St. Elizabeth's made in its October 22, 1992 letter was to recommend to its nominating committee that an Allston/Brighton resident be appointed to its Board of Trustees. The commitment to recommend to its nominating committee an Allston/Brighton member was made subject to the understanding that any Allston/Brighton Board Member would be brought on only after St. Elizabeth's had incorporated current members from the St. Margaret's Board of Trustees and in strict compliance with the Hospital's existing Board recruitment process. The commitment was further that the nominating committee would actively solicit recommendations of appropriate candidates from civic associations. The solicitation and recommendation have been effected and completed thereby fulfilling St. Elizabeth's obligation under the October 22, 1992

agreement. Further, the BRA should be informed that all current vacancies on the Board of Trustees have been filled this year by individuals associated with St. Margaret's and as part of the consolidation with St. Margaret's pursuant to information provided to the BRA in its community benefits package. It should be noted that the terms of several trustees are scheduled to expire in 1994 and the Medical Center does, by this report, commit to replace one of its current Trustees with a community resident, such selection to be completed by June 1, 1994.

COMMUNITY HEALTH SERVICES PROVIDED BY ST. MARGARET'S

Service	93 '93 Commitment	Status
Panel Analysis and Q.A. Program	\$2,370,000	Architectural Agreements executed. Funds committed, construction to commence after bidding.
Management of Cardiac Rehab Program	\$100,000	Program is planning program, to be completed and program commensurate by '93.
Physician Home Care in Alliston/Brington	\$ 75,000	One full time physician, assistant hired, part-time person hired and funds spent to date exceed the \$75,000 commitment.
Landscaping	\$ 15,000	Funds have been allocated and contracts will be let in the Fall. Six meetings have been held with the Community Groups as to these landscaping benefits.

StElizabeth's Hospital

of Boston

736 Cambridge Street Boston, Massachusetts 02135 617/789-3000

Board of the Boston Redevelopment Authority
1 City Hall Square 9th Floor
Boston, MA 02202

COMMUNITY HEALTH BENEFITS PROVIDED BY ST. ELIZABETH'S

<u>Program</u>	<u>FY '93 Commitment</u>	<u>Status</u>
Renal Dialysis and G.I. Program	\$2,370,000	Architectural Agreements executed funds committed, construction to commence after bidding.
Enhancement of Cardiac Rehab Program	\$100,000	Program in plan- ing progress, to be completed and program commence- ment in FY '93.
Physician Home Care in Allston/Brighton	\$ 75,000	One full time physician/assistant hired, part-time person hired and funds spent to date exceed the \$75,000 commitment.
Landscaping	\$ 35,000	Funds have been allocated and con- tracts will be let in the Fall. Six meetings have been held with the Community Groups as to these landscap- ing benefits.

56957_1

Nursing Scholarships

Three

Applications have been submitted but they have not been officially awarded. Decision to be made in the near future.

Community Representation
on Board of Trustees

Names of certain community members have been submitted for selection.

<u>Program</u>	<u>FY 93' Commitment</u>	<u>Status</u>
Local Annual Job Fair	\$15,000- \$20,000	Job Fair held on January 9, 1993, 750 from community in attendance and a sum well in excess of \$22,000 has already been spent.
Project Protest	\$70,000	Planning is in process and much more than \$70,000 will be spent in FY '93.
Special Commitment to Boston City Hospital and Boston Neighborhood Health Centers	\$161,000	More than \$161,000 has been paid to date.